

FOR PSA MEMBERS: PUBLIC SERVICE COORDINATING BARGAINING COUNCIL
(PSCBC) 12/2020

24-04-2020

Important Information: Failure to implement salary adjustments - Resolution 1/2018

Members were previously informed of developments regarding the implementation of PSCBC Resolution 1/2018. It is unfortunate that the employer has refused to implement the said agreement as per clause 3.3 of the Resolution.

As previously reported, the PSA instructed its lawyers to approach the Labour Court to enforce the Collective Agreement. The PSA is therefore of the view that there is no dispute between parties as to the interpretation and application of Clause 3.3 of Resolution 1/2018. There has been no difficulty with previous wage increases provided for in Clauses 3.1 and 3.2 and the PSA fails to understand why the employer is refusing to implement the agreement.

The PSA is aware that other unions are seeking to invoke the dispute mechanisms of Council relating to the interpretation and application of Resolution 1/2018. However, as already indicated, there is no dispute about either the interpretation or application. The State as employer, however, declines to implement the clause and seeks to renegotiate the agreement. The union parties reject any renegotiation of Clause 3.3.

In these circumstances the PSA is of the view that pursuing a dispute about the interpretation and application of a collective agreement is not an option. Instead, the PSA seeks to enforce the contractual provisions established by the collective agreement. The PSA believes that its members have a contractual right to have their salaries increased as stipulated in PSCBC Collective Agreement 1/2018 and specifically clause 3.3.

The PSA further believes that the employer is in breach of the contract of employment and will enforce it through the Labour Court. The PSA has instructed its lawyers to finalise its application and this will be served on all parties once the Labour Court resumes. Members will be informed of developments.

GENERAL MANAGER